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EXAMINER	
SWEARINGEN, JEFFREY R	

ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 04/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/594,332	BATTLE ET AL.	
	Examiner	Art Unit	
	Jeffrey R. Swearingen	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 February 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-40* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 2/20/2006 have been fully considered but they are not persuasive.

2. Applicant failed to adequately traverse the rejection under 35 U.S.C. 112, first paragraph. Applicant's cited portions of the disclosure failed to convey to one of ordinary skill in the art the requisite information necessary to implement the expiring of cookies from remote servers without suffering a burden of undue experimentation. Applicant cited brief sections of the original specification (not the substitute specification filed on 12/2/2003) in an attempt to demonstrate that one of ordinary skill in the art could have implemented the invention. Applicant's specification failed to illustrate to one of ordinary skill in the art how and where the cookies were stored, and how the cookies were "expired" by clicking on a hyperlink. These elements are critical to Applicant's invention. The drawings submitted by Applicant failed to give assistance to one of ordinary skill in the art on how this would be implemented. Applicant failed to demonstrate how the cookie on a server would be expired by the use of a hyperlink. This alone at least constituted a reasonable basis for questioning the adequacy of the disclosure to enable a person of ordinary skill in the art to make and use the claimed invention without resorting to undue experimentation. The amount of required experimentation based on the facts and circumstances in the case of this invention is not reasonable or routine. The interrelationship between the hyperlink and the expiring of the cookie, and the steps thereof, were not taught in the specification and drawings. "Once an examiner has advanced a reasonable basis or presented evidence to question the adequacy of a computer system or computer programming disclosure, the applicant must show that his or her specification would enable one of ordinary skill in the art to make and use the claimed invention without resorting to undue experimentation." See MPEP 2106.

3. Applicant argued Gupta failed to teach "expiring cookies from the browser in accordance with the request, wherein the cookies include data provided to the browser by the server." The point of contention with Applicant seems to be whether the cookies provide data to the browser from the server. However, the cookie being expired necessarily had data provided to the browser by the server in order for the cookie to be created. The transmission of data from the server to the browser for use in a cookie was

expressly taught in column 12, lines 42-61. Applicant failed to make any arguments regarding the Gifford reference.

4. Applicant argued the Office's position of Official Notice in regard to the alleged deficiencies of the Gupta reference, but said alleged deficiencies were rebutted previously in this office action.

5. Applicant argued Gupta failed to disclose "wherein the cookies include data provided to a browser from the authentication server." Said alleged deficiency in Gupta was previously rebutted in this office action.

6. Applicant argued the alleged deficiency in Gupta in view of Wu, but said alleged deficiency in Gupta was previously rebutted in this office action.

7. Applicant repeated the argument of the alleged deficiency in Gupta concerning data in a cookie being sent from server to browser. This alleged deficiency was previously rebutted in this office action.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9. Claims 1-40 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicant has not stated whether the cookies are stored on the local client, the remote servers, or the domain server. Applicant has not stated whether the URL links hosted at the servers expire the cookies from the remote servers, the domain server, or the local client. Applicant has not stated whether "expiring" the cookies involves deleting the cookies or merely changing the expiration date of the cookies. Applicant has not explained how a web page can be implemented which would allow cookies to expire from different web sites, how a URL on a web page would expire a cookie at a local client, or how expiring the cookies would achieve the multiple logout. One of ordinary skill in the art would be unaware how the cookie expiration via URLs on a web page

functionality of the invention was implemented. Applicant's specification failed to illustrate to one of ordinary skill in the art how and where the cookies were stored, and how the cookies were "expired" by clicking on a hyperlink. These elements were crucial to Applicant's invention. Applicant's submitted drawings failed to cure this deficiency by illustrating the functionality of these elements or their interrelationship. One of ordinary skill in the art would suffer undue and unreasonable experimentation in implementing the invention based upon Applicant's disclosure and specification. This amount of required experimentation would not be considered "routine". See MPEP 2106.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11. Claims 1, 6-7, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta et al. (U.S. Patent No. 6,226,752) in view of Gifford et al. (U.S. Patent No. 6,549,612).

12. In regard to claim 1, Gupta has disclosed the use of a logout page that utilized URLs to logout a system by way of utilizing cookies. Gupta, column 13, lines 41-65. The expiration of cookies was not expressly taught in Gupta. Gifford, in the same field of endeavor, taught a user interface with "logout" URL links that expired cookies by changing the expiration date and time of the cookie. Gifford, column 13, lines 9-19. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teachings of Gifford to modify Gupta because the expiration of cookies in Gupta would have been an added security measure to protect persons from unlawfully accessing private information on a network.

13. In regard to claim 6, Gupta in view of Gifford is applied as in claim 1. As shown in the rejection for claim 1, cookies were expired in the Gupta / Gifford combination.

14. Claim 7 has substantially the same limitations as claim 1.

15. Claim 15 has substantially the same limitations as claim 1.

16. Claims 2, 8, 10, 16-24, and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta in view of Gifford in further view of Official Notice.

17. In regard to claim 2, Gupta in view of Gifford is applied as in claim 1. Gupta and Gifford both failed to explicitly disclose sending an image to a browser as an acknowledgement of a logout. However, Official Notice is taken that images sent as acknowledgements of events were well known in the art in the early 1990s, in such programs as DOS Shell 5.0 and Windows 3.0. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to send a visual acknowledgement to the user of a function performed by the Gupta/Gifford combination so that the user would know that the function had been completed successfully.

18. Claim 8 has substantially the same limitations as claim 2.

19. Claim 10 has substantially the same limitations as claims 1 and 2.

20. In regard to claim 16, Gupta in view of Gifford covers substantially the same limitations as claims 1-2. The receipt and display of images claimed in claim 16 has been substantially addressed in the rejection of claim 2.

21. Claim 17 has substantially the same limitations as claims 1 and 2.

22. Claim 18 has substantially the same limitations as claims 1 and 2. The receipt and display of images claimed in claim 18 has been substantially addressed in the rejection of claim 2

23. In regard to claim 19, Gupta in view of Gifford in further view of Official Notice is applied as in claim 18. Gupta and Gifford fail to disclose the use of a checkmark image. However checkmarks are well known as multipurpose graphical symbols. It would be obvious to apply any image to the Gupta / Gifford combination as taught in claim 18, including a checkmark, to allow for full adaptability of the system.

24. The limitations of claims 20-23 are taught within the rejections of claims 1 and 2.

25. Claim 24 has substantially the same limitations as claims 1 and 2.

26. In regard to claim 26, Gupta in view of Gifford is applied as in claim 24. As previously shown in the rejection of claim 1, Gupta and Gifford both disclosed the use of logout links.

27. In regard to claim 27, providing a logout link from a server is inherent to the Gupta / Gifford combination.

28. Claims 3-5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta in view of Gifford in further view of Wu et al. (U.S. Patent No. 5,774,551).

29. In regard to claim 3, Gupta in view of Gifford is applied as in claim 1. Gupta and Gifford have failed to disclose logging out multiple servers by use of a single logout link. However, Wu has taught the method of logging out multiple servers by selecting a single logout link in column 4, lines 3-24. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the Gupta/Gifford combination with the teachings of Wu to allow a single user to perform multiple logouts at the same time, thereby increasing user efficiency.

30. In regard to claim 4, Gupta in view of Gifford in further view of Wu is applied as in claim 3. Wu further disclosed the logout was locatable on any of the multiple servers and an authentication server. In column 4, lines 3-24, the location of the link did not affect the Wu invention.

31. In regard to claim 5, Gupta in view of Gifford in further view of Wu is applied as in claim 3. Wu further disclosed a visited sites cookie maintained a list of all sites logged into by the user. Wu's credentials in column 2, lines 19-31 corresponded to cookies, where cookies were understood to be personal data stored in a user computer that authenticated communication to a source. Gupta further disclosed that cookies in Gupta indicated the user's history and what servers the user would have wished to log out of in column 13, lines 41-64.

32. Claim 9 has substantially the same limitations as claim 3.

33. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta in view of Gifford in further view of Wu in further view of Official Notice.

34. In regard to claim 25, Gupta in view of Gifford in further view of Official Notice is applied as in claim 24. Wu further disclosed a visited sites cookie maintained a list of all sites logged into by the user. Wu's credentials in column 2, lines 19-31 corresponded to cookies, where cookies were understood to be personal data stored in a user computer that authenticated communication to a source. Gupta further

disclosed that cookies in Gupta indicated the user's history and what servers the user would have wished to log out of in column 13, lines 41-64.

35. Claims 11-14, 33-34, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta in view of Gifford in further view of Montulli (U.S. Patent No. 5,774,670).

36. In regard to claim 11, Gupta in view of Gifford is applied as in claim 1. Gupta and Gifford both failed to explicitly disclose the type of data that is stored in a cookie. However, Montulli described the original intent of the cookie. Throughout Montulli, including Examples 1 and 2, various types of data were presented as being stored within a cookie, thus showing the flexibility of the cookie as taught by Montulli. Therefore, based upon this original teaching of the cookie, it would have been obvious to one of ordinary skill in the art at the time of the invention to store any type of data in the Gupta / Gifford combination as taught in the rejection of claim 1 to allow for adaptability of the software into multiple domains.

37. In regard to claim 12, Gupta in view of Gifford in further view of Montulli is applied as in claim 11. The use of a list of servers that the user is logged into is inherent to the Gupta / Gifford combination in order to keep track of where the user is logged into in order to implement the logout procedure.

38. In regard to claim 13, Gupta in view of Gifford in further view of Montulli is applied as in claim 11. The use of a list of servers that the user is logged into for expiring the cookies is inherent to the Gupta / Gifford combination.

39. In regard to claim 14, Gupta in view of Gifford in further view of Montulli is applied as in claim 11. The instantiation of "different server pages" has been taught previously in the Gupta / Gifford combination.

40. In regard to claim 33, Gupta in view of Gifford is applied as in claim 1. Gupta and Gifford both failed to explicitly disclose the type of data that is stored in a cookie. However, Montulli described the original intent of the cookie. Throughout Montulli, including Examples 1 and 2, various types of data were presented as being stored within a cookie, thus showing the flexibility of the cookie as taught by Montulli. Therefore, based upon this original teaching of the cookie, it would have been obvious to one of ordinary skill in the art at the time of the invention to store any type of data in the Gupta / Gifford combination as taught in the rejection of claim 1 to allow for adaptability of the software into multiple domains.

41. In regard to claim 34, Gupta in view of Gifford is applied as in claim 7. Gupta and Gifford both failed to explicitly disclose the type of data that is stored in a cookie. However, Montulli described the original intent of the cookie. Throughout Montulli, including Examples 1 and 2, various types of data were presented as being stored within a cookie, thus showing the flexibility of the cookie as taught by Montulli. Therefore, based upon this original teaching of the cookie, it would have been obvious to one of ordinary skill in the art at the time of the invention to store any type of data in the Gupta / Gifford combination as taught in the rejection of claim 7 to allow for adaptability of the software into multiple domains.

42. In regard to claim 36, Gupta in view of Gifford is applied as in claim 15. Gupta and Gifford both failed to explicitly disclose the type of data that is stored in a cookie. However, Montulli described the original intent of the cookie. Throughout Montulli, including Examples 1 and 2, various types of data were presented as being stored within a cookie, thus showing the flexibility of the cookie as taught by Montulli. Therefore, based upon this original teaching of the cookie, it would have been obvious to one of ordinary skill in the art at the time of the invention to store any type of data in the Gupta / Gifford combination as taught in the rejection of claim 15 to allow for adaptability of the software into multiple domains.

43. Claims 29-32, 35, and 37-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta in view of Gifford in further view of Montulli in further view of Official Notice.

44. In regard to claim 28, Gupta in view of Gifford in view of Official Notice is applied as in claim 24. Gupta and Gifford both failed to explicitly disclose the type of data that is stored in a cookie. However, Montulli described the original intent of the cookie. Throughout Montulli, including Examples 1 and 2, various types of data were presented as being stored within a cookie, thus showing the flexibility of the cookie as taught by Montulli. Therefore, based upon this original teaching of the cookie, it would have been obvious to one of ordinary skill in the art at the time of the invention to store any type of data in the Gupta / Gifford combination as taught in the rejection of claim 24 to allow for adaptability of the software into multiple domains.

45. In regard to claim 29, Gupta in view of Gifford in view of Official Notice is applied as in claim 24. Gupta and Gifford both failed to explicitly disclose the type of data that is stored in a cookie. However, Montulli described the original intent of the cookie. Throughout Montulli, including Examples 1 and 2,

various types of data were presented as being stored within a cookie, thus showing the flexibility of the cookie as taught by Montulli. Therefore, based upon this original teaching of the cookie, it would have been obvious to one of ordinary skill in the art at the time of the invention to store any type of data in the Gupta / Gifford combination as taught in the rejection of claim 24 to allow for adaptability of the software into multiple domains.

46. The limitations of claim 30 are taught previously in the rejection of claim 24.

47. In regard to claim 31, Gupta in view of Gifford in view of Official Notice is applied as in claim 24. Gupta and Gifford both failed to explicitly disclose the type of data that is stored in a cookie. However, Montulli described the original intent of the cookie. Throughout Montulli, including Examples 1 and 2, various types of data were presented as being stored within a cookie, thus showing the flexibility of the cookie as taught by Montulli. Therefore, based upon this original teaching of the cookie, it would have been obvious to one of ordinary skill in the art at the time of the invention to store any type of data in the Gupta / Gifford combination as taught in the rejection of claim 24 to allow for adaptability of the software into multiple domains.

48. The limitations of claim 32 are taught previously in the rejection of claim 24.

49. In regard to claim 35, Gupta in view of Gifford in view of Official Notice is applied as in claim 10. Gupta and Gifford both failed to explicitly disclose the type of data that is stored in a cookie. However, Montulli described the original intent of the cookie. Throughout Montulli, including Examples 1 and 2, various types of data were presented as being stored within a cookie, thus showing the flexibility of the cookie as taught by Montulli. Therefore, based upon this original teaching of the cookie, it would have been obvious to one of ordinary skill in the art at the time of the invention to store any type of data in the Gupta / Gifford combination as taught in the rejection of claim 10 to allow for adaptability of the software into multiple domains.

50. In regard to claim 37, Gupta in view of Gifford in view of Official Notice is applied as in claim 16. Gupta and Gifford both failed to explicitly disclose the type of data that is stored in a cookie. However, Montulli described the original intent of the cookie. Throughout Montulli, including Examples 1 and 2, various types of data were presented as being stored within a cookie, thus showing the flexibility of the

cookie as taught by Montulli. Therefore, based upon this original teaching of the cookie, it would have been obvious to one of ordinary skill in the art at the time of the invention to store any type of data in the Gupta / Gifford combination as taught in the rejection of claim 16 to allow for adaptability of the software into multiple domains.

51. In regard to claim 38, Gupta in view of Gifford in view of Official Notice is applied as in claim 17. Gupta and Gifford both failed to explicitly disclose the type of data that is stored in a cookie. However, Montulli described the original intent of the cookie. Throughout Montulli, including Examples 1 and 2, various types of data were presented as being stored within a cookie, thus showing the flexibility of the cookie as taught by Montulli. Therefore, based upon this original teaching of the cookie, it would have been obvious to one of ordinary skill in the art at the time of the invention to store any type of data in the Gupta / Gifford combination as taught in the rejection of claim 17 to allow for adaptability of the software into multiple domains.

52. In regard to claim 39, Gupta in view of Gifford in view of Official Notice is applied as in claim 18. Gupta and Gifford both failed to explicitly disclose the type of data that is stored in a cookie. However, Montulli described the original intent of the cookie. Throughout Montulli, including Examples 1 and 2, various types of data were presented as being stored within a cookie, thus showing the flexibility of the cookie as taught by Montulli. Therefore, based upon this original teaching of the cookie, it would have been obvious to one of ordinary skill in the art at the time of the invention to store any type of data in the Gupta / Gifford combination as taught in the rejection of claim 18 to allow for adaptability of the software into multiple domains.

53. In regard to claim 40, Gupta in view of Gifford in view of Official Notice is applied as in claim 24. Gupta and Gifford both failed to explicitly disclose the type of data that is stored in a cookie. However, Montulli described the original intent of the cookie. Throughout Montulli, including Examples 1 and 2, various types of data were presented as being stored within a cookie, thus showing the flexibility of the cookie as taught by Montulli. Therefore, based upon this original teaching of the cookie, it would have been obvious to one of ordinary skill in the art at the time of the invention to store any type of data in the

Gupta / Gifford combination as taught in the rejection of claim 24 to allow for adaptability of the software into multiple domains.

Conclusion

54. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

55.	Haller et al.	US 6,026,379
56.	Bladow et al.	US 6,115,040
57.	Win et al.	US 6,161,139
58.	Lim et al.	US 6,434,619 B1
59.	Win et al.	US 6,453,353 B1
60.	Sampson et al.	US 6,490,624 B1
61.	Shrader	US 6,851,060 B1

62. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571) 272-3921. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jason Cardone
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